

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SCOTT JOHNSON,

Plaintiff,

v.

KPA, INC.,

Defendant.

Case No. [20-cv-08083-SI](#)

**ORDER TO SHOW CAUSE WHY  
CASE SHOULD NOT BE DISMISSED  
FOR FAILURE TO PROSECUTE**

This case was filed on November 17, 2020. The next day, the Court issued a Scheduling Order for Cases Asserting Denial of Right to Access Under Americans with Disabilities Act Title II & III. Dkt. No. 6. Pursuant to that Scheduling Order, by January 19, 2021 (60 days after the complaint was filed) plaintiff was required to either complete service or file a motion for administrative relief from the deadline.

On July 27, 2021, a proof of service was filed, stating that the complaint, summons and other documents were served in December 2020. Dkt. No. 11. The proof of service states that defendant was served through substitute service on a “John Doe – Clerk” and by mail on defendant’s agent for service of process. No answer has been filed, and no action has been taken in this case since July 27. There is no explanation in the docket as to why, if service was completed in December 2020, the proof of service was not filed until July 2021. Further, it is not clear from the record if service was effective. **Accordingly, plaintiff is ORDERED TO SHOW CAUSE in writing no later September 16, 2021, why this case should not be dismissed for failure to prosecute.**

**IT IS SO ORDERED.**

Dated: September 8, 2021



SUSAN ILLSTON  
United States District Judge